

CITY OF MUSKEGON  
PLANNING COMMISSION  
REGULAR MEETING  
MINUTES

**January 16, 2014**

Chairman T. Michalski called the meeting to order at 4:05 p.m. and roll was taken.

MEMBERS PRESENT: F. Peterson, J. Doyle, T. Michalski, L. Spataro, B. Mazade, S. Gawron,  
B. Smith

MEMBERS ABSENT: S. Wisneski; B. Larson, excused

STAFF PRESENT: M. Franzak, D. Renkenberger

OTHERS PRESENT: C. Beacham, 1144 Third St; J. Williams, 1482 Morgan

APPROVAL OF MINUTES

A motion that the minutes of the regular meeting of December 12, 2013 be approved, was made by F. Peterson, supported by J. Doyle and unanimously approved.

PUBLIC HEARINGS

**Hearing, Case 2014-01:** Request for a preliminary Planned Unit Development approval to extend the Planned Unit Development at 1144 Third Street across the street to include the parcels at 1185 and 1201 Third Street. M. Franzak presented the staff report. The EMC Group currently owns the property at 1144 Third Street, which is already a Planned Unit Development (PUD). This parcel contains multiple buildings, and the PUD allows for multiple uses such as retail, auto sales and auto repair. They are currently working with a buyer for this parcel and all of its buildings. The EMC Group would like to continue to sell cars in the area and would like to extend the PUD across the street and move the car sales and repair operation to 1185 Third Street (building on site) and 1201 Third Street (vacant parking lot to the south). The parcels at 1185 & 1201 are zoned B-2, Convenience and Comparison Business, and auto sales are not allowed in this district. However, the current auto sales lot at 1144 Third Street also has an underlying zoning of B-2, but auto sales are allowed because it is part of the PUD. The current PUD at 1144 Third Street will stay the same until the new owner comes to the Planning Commission to amend it once the plans are confirmed. It is possible to extend the PUD across the street because the parcels are considered adjacent to each other. The parcels at 1144, 1185 and 1201 would then all be considered a part of the same PUD. It is common to have multiple property owners involved in the same PUD. The building at 1185 Third Street has historically been used as a car sales and repair shop; however, it has lost its legal non-conforming status because that use has not occurred in more than two consecutive years. The Fire, Police and Engineering Departments do not have any concerns with this project. The DPW has asked that the fencing and poles be located at least one foot away from water service shutoffs, and that trees and shrubs be at least 10 feet away from water service shutoffs. The Planning Department is requesting that the entrance off Third Street into the parking lot of 1201 be closed off; a zoning requirement for all auto sales lots is that an entrance to a car lot is not allowed within 60 feet of an intersection. A notification letter was sent to all property owners and tenants within 300 feet of the project area, and staff received no comments.

L. Spataro arrived at 4:10 p.m.

J. Doyle asked C. Beacham if he was purchasing the properties at 1185 and 1201 Third. C. Beacham stated that he was. L. Spataro asked if the boards would be removed from the windows so they were opened back up. C. Beacham stated that the boards would be removed there had been problems with vandalism there previously, which is why they were boarded up. L. Spataro asked if the interior showroom would be used for cars. C. Beacham stated that it would.

A motion to close the public hearing was made by B. Mazade, supported by L. Spataro and unanimously approved.

A motion that the preliminary Planned Unit Development for an auto repair and sales lot to be located at 1185 and 1201 Third Street be approved, pursuant to the determination of compliance with the intent of the City Zoning Ordinance and City Master Land Use Plan, with the condition that staff concerns listed in #6 and #7 of the staff report be addressed and a new site plan be approved by staff, was made by L. Spataro, supported by F. Peterson and unanimously approved.

**Hearing, Case 2014-02:** Request for final Planned Unit Development (PUD) approval to extend the PUD at 1144 Third Street across the street to include the parcels at 1185 and 1201 Third Street. M. Franzak presented the staff report. These new parcels added to the PUD will host an automobile sales and repair facility. City ordinance requires that PUDs have a preliminary and a final approval. Many PUDs involve new buildings on vacant parcels, so the preliminary approval gives the Planning Commission a chance to weigh in on certain site layout conditions before the developer makes the adjustments and returns with a revised plan. However, since these parcels are already developed, the final approval is just a formality in this case.

No other questions were asked of staff or board members. A motion to close the public hearing was made by L. Spataro, approved by J. Doyle and unanimously approved.

A motion that the final Planned Unit Development for an auto repair and sales lot at 1185 & 1201 Third Street be recommended to the City Commission for approval, pursuant to the determination of compliance with the intent of the City Zoning Ordinance and City Master Land Use Plan, with the conditions that items # 6 and #7 of the staff report be addressed and a new site plan be submitted and approved by staff, was made by L. Spataro, approved by J. Doyle and unanimously approved.

**Hearing, Case 2014-03:** Staff-initiated request to rezone the city-owned property at 816 Marquette Avenue from R-1, Single Family Residential to RM-1, Low Density Multiple Family Residential. M. Franzak presented the staff report. The subject parcel measures 6.14 acres and is a U-shaped lot. It was previously zoned RM-1, Low Density Multiple Family Residential, and the 1986 zoning map shows the RM-1 zoning designation. It was rezoned to R-1, Single Family Residential at a later date. The parcels to the south are zoned B-1, Limited Business and RM-1, Low Density Multiple Family Residential (townhomes). The parcels to the east are zoned RM-1, Low Density Multiple Family Residential (Baker College townhomes). The parcel to the north is zoned OSC, Open Space Conservation, and parcels to the west are zoned R-1, Single Family Residential. The developer of the townhomes at 860 Marquette Avenue would like to purchase the parcel at 816 Marquette Avenue to expand his project with more townhome units. The parcel would need to be rezoned to RM-1 to allow this. A portion of the northern edge of the lot is on a steep hill and is considered unbuildable, which would make it difficult to put in a new road to allow for single family residences. A notice was sent to property owners and tenants within 300 feet of this property; at the time of this writing, staff had not received any comments.

M. Franzak stated that the master plan recommended improving the housing stock in this area. He thought that the new townhomes proposed would accomplish that. L. Spataro provided background on the area and why the zoning had been changed to R-1 previously. B. Mazade asked if the City had a purchase agreement for this parcel. M. Franzak stated that there was not a purchase agreement yet, but Mr. Williams had stated that he would purchase the lot if it were rezoned. J. Williams explained the proposed layout of the new development, stating that the buildings would be located toward the back of the property. The development would benefit the City by putting the property back on the tax rolls. J. Doyle asked how many buildings were planned for the lot. J. Williams stated that he was planning to build three buildings with four apartments in each of them.

A motion to close the public hearing was made by B. Mazade, approved by S. Gawron and unanimously approved.

A motion that the request to rezone the property located at 816 Marquette Avenue from R-1, Single Family Residential to RM-1, Low Density Multiple Family Residential as described in the public notice, be recommended for approval to the City Commission, was made by S. Gawron, supported by F. Peterson and unanimously approved.

B. Smith arrived at 4:30 p.m.

#### OLD BUSINESS

None

#### OTHER

Pere Marquette Park restaurant development – B. Mazade asked for an update on the Harris's redevelopment project at Pere Marquette Park, and if staff knew when to expect a site plan. M. Franzak stated that City staff had met with the developer recently, and they stated that they hoped to be open by May. M. Franzak didn't think the site plan would require Planning Commission approval, but stated he would provide the information to Planning Commissioners when he received it. B. Mazade asked if the plan was to raze or reuse the existing building. M. Franzak stated they planned to reuse part of the building and extend it.

There being no further business, the meeting was adjourned at 4:35 p.m.